



Order Filed on December 19, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Stern & Eisenberg, PC
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(COUNSEL FOR MOVANT)

In Re:
Mark Edward Danyo
Debtor
Ellen Danyo
Non-Filing Co-Debtor

Quicken Loans Inc.
Creditor/Movant
v.
Albert Russo
(Respondents)

Case Number: 19-12380-CMG

Chapter: 13

Judge: Christine M. Gravelle

ORDER APPROVING STIPULATION/CONDITIONAL ORDER SETTling THE MOTION FOR
RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through (3) is
hereby **ORDERED**.

DATED: December 19, 2019

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Mark Edward Danyo

Case Number: 19-12380-CMG

Caption of Order: Order Approving Stipulation/Conditional Order Settling the Motion for Relief from the Automatic Stay

Upon the Motion of Quicken Loans Inc. (Creditor) through its Counsel Stern & Eisenberg PC, attorneys for secured creditor, under Bankruptcy Code (section 362(d), et al.) for relief from the automatic stay as to certain property, 309 Wayne Avenue, Pine Beach, NJ 08741 ("Property"), and the entry of the Order settling the Motion for Relief and for cause shown, it is hereby ORDERED and DECREED as follows:

1. As of November 21, 2019, Mark Edward Danyo ("Debtor") acknowledges that Debtor is due for the following post-petition regular monthly payments from October 1, 2019 through November 1, 2019, as follows:
 - a. Monthly payments total (\$2,019.83/month)..... \$4,039.66
 - b. Post-petition suspense balance:.....(\$1,628.83)
 - c. Attorney Fees:.....\$631.00
 - d. Total arrear as of date of Order..... \$3,041.83
2. Debtor shall cure the Arrear as set forth above by paying \$506.97 of the Arrear per month for the next **five (5)** months together with the regular monthly mortgage payment (currently \$2,019.83/month) for a total monthly payment of **\$2,526.80** for the **next five (5) months** beginning on **December 1 2019 through April 1, 2020**; then, \$506.98 of the Arrear per month for **one (1)** month together with the regular monthly mortgage payment (currently \$2,019.83/month) for a total monthly payment of **\$2,526.81** for the next **one (1) month** on **May 1, 2020**. In the event the regular monthly payment changes for any reason, then the amount due pursuant to paragraph 2 shall be adjusted accordingly. Thereafter, Debtor agrees to continue making the regular monthly mortgage payment.
3. Payments due in accordance with this Order shall be due on or before the 1st day of each month.
4. Debtor shall make the regular monthly payments required to the Trustee.
5. All payments due to the Creditor from the Debtor are to be made directly to Quicken Loans Inc. and making sure that Creditor's loan number appears on all payments.
6. In the event that Movant alleges that Debtor has failed to comply with obligations under paragraph 3 & 5 of this Consent Order/Stipulation, Quicken Loans Inc. and/or Counsel may give Debtor and Debtor's counsel notice of the default and if such default is not cured within ten (10) days of said notice, upon certification to the court of such default, and request for Order, with a copy to Debtor's and Debtor's counsel, the Court may grant Quicken Loans Inc. immediate relief from the bankruptcy stay. Debtors shall pay \$75.00 for each notice of default issued by Movant as a result of the Debtors' failure to comply with this Consent Order/Stipulation.

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Debtor: Mark Edward Danyo

Case Number: 19-12380-CMG

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7. The failure by the Creditor, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Creditor's rights hereunder.
8. Upon issuance of the aforesaid Order, the parties hereto further agree that Quicken Loans Inc. may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.
9. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Creditor shall be granted immediate relief from the automatic stay and may also request entry of the form Relief Order.



WILLIAM H. OLIVER, JR., ESQ.
COUNSEL FOR DEBTOR

/s/ Christopher M. McMonagle

CHRISTOPHER M. MCMONAGLE, ESQ.
STERN & EISENBERG, PC
ATTORNEY FOR CREDITOR